

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

CENTRIPETAL NETWORKS, INC.,)	
)	
Plaintiff,)	Civil Action No. 2:21-cv-00137 (RCY-RJK)
)	
vs.)	PUBLIC VERSION – REDACTED
)	
PALO ALTO NETWORKS, INC.,)	
)	
Defendant.)	
_____)	

**PLAINTIFF CENTRIPETAL NETWORKS, INC.'S
MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO
EXPEDITE BRIEFING AND HEARING ON ITS MOTION TO DISQUALIFY**

Plaintiff Centripetal Networks, Inc. (“Centripetal”), by counsel and without prejudice to any responsive pleadings, moves this Court to enter an Order providing for an expedited briefing on Centripetal’s Motion for Leave to File Supplemental Brief (“Motion for Leave”) and to set a hearing for its Motion to Disqualify Counsel (“Motion to Expedite”). Defendant Palo Alto Networks (“PAN”) and Ropes & Gray oppose the proposed expedited briefing and hearing schedule.

In support of the motion, pursuant to Local Civil Rule 7, Centripetal states as follows:

1. On July 21, 2021, Centripetal filed a Motion to Disqualify Counsel. The parties completed the briefing of the motion on August 10, 2021. On August 16, 2021, the parties requested a hearing on the Motion to Disqualify (ECF No. 144). The Court has not yet scheduled a hearing.

2. On September 15, 2021, Ropes & Gray, counsel for PAN, filed IPR petitions on two patents related to those asserted in this case. [REDACTED]

[REDACTED]

[REDACTED]

3. Concurrently with this motion, Centripetal has filed a Motion for Leave to file a short supplemental brief in support of its Motion to address the September 15, 2021 IPR petitions relevant to its Motion to Disqualify. To provide PAN with an opportunity to respond and to resolve Centripetal’s Motion for Leave and Motion to Disqualify in an expeditious manner, Centripetal requests expedited supplemental briefing and a hearing on its Motion for Leave and Motion to Disqualify. The Court has granted motions to expedite when there is a pending motion to disqualify. *See, e.g., Audio MPEG, Inc. v. Dell, Inc.*, 219 F. Supp. 3d 563, 566-67 (E.D. Va. 2016), Dkt. No. 238.

4. On September 24, 2021, Centripetal sent PAN a proposed schedule for expedited briefing and hearing. On September 27, 2021, PAN and Ropes & Gray informed Centripetal that it would oppose this motion, as they do not believe the recent IPR Petitions are a basis for supplemental briefing. For reasons set forth in its supplemental brief attached to Centripetal's motion for leave, Centripetal disagrees.

5. Accordingly, Centripetal respectfully requests expedited briefing and a ruling on its Motion to Expedite and Motion to Disqualify as follows:

- i. PAN and/or Ropes & Gray to file its response to Centripetal's Motion for Leave within three (3) court days of the Order granting this motion for expedited briefing; Centripetal to file a reply in support of its Motion for Leave within two (2) court days of PAN and/or Ropes & Gray's response;
- ii. Centripetal to file its supplemental brief in Support of the Motion to Disqualify within one (1) day of the Court's order granting leave to file, PAN and/or Ropes & Gray to file its supplemental response in Opposition to the Motion to Disqualify within five (5) days of Centripetal's supplemental brief, and Centripetal to file its supplemental reply within three (3) days of any response; and
- iii. the Court to schedule a hearing as soon as possible.

WHEREFORE, for the foregoing reasons, Plaintiff Centripetal respectfully requests that the Court grant Plaintiff's Motion to Expedite Briefing and Hearing on Centripetal's Motion to Disqualify; enter the proposed Order attached to this Motion as Exhibit 1; and grant such other relief as the Court deems appropriate.

Dated: September 27, 2021

Respectfully submitted,

/s/ Stephen E. Noona
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*Attorneys for Plaintiff,
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CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of filing electronic to all counsel of record.

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